S.B.Civil Misc. Transfer Pet.No.30/07
Updesh Singh and anr. v Jodh Singh

Date of order: 14.5.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. R.K. Singhal for the petitioners .

Heard learned counsel for the petitioners.

The petitioner has apprehension that he will not get justice because of the reason that the learned trial court in the order dated 16.4.2007 observed that it will be unnecessary to saddle the penalty of Rs.90,000/- on the document in question, however, the trial court after observation, referred the matter to the A.D.M.(Stamps), Hanumangarh for passing appropriate order for levy of stamp duty and penalty etc. with respect to land of three bighas. The petitioner may have drawn any inference from such order but there is no ground for transferring the case from the court who passed the order as per the view taken on the basis of the legal provisions by the court, as the court is free to take the view on law point and if the petitioner is aggrieved then he can challenge the order by way of filing appeal or revision.

No case is made out for transferring the case.

The transfer petition is accodingly dismissed.

(**PRAKASH TATIA),J.**

mlt.